Statement

Reservation for OBC in Tripura to be answered on 18.08.2003

Reservation is not in force in the following States due to the reasons indicaied against each.

State/UT	Reasons
State:	
1. Arunachal Pradesh	
2. Meghalaya	
3. Mizoram	No OBC Population
4. Nagaland	
5. Manipur	Percentage of reservation has not yet been fixed by the State Government.
6. Tripura	Percentage of reservation has not been fixed in view of overall ceiling of 50% prescribed by the Hon'ble Supreme Court.
Union Territory:	
7. Andaman and Nicobar Islands	OBC Population is yet to be identified.
8. Lakshadweep	No OBC Population.

Eviction of tribals

2830. SHRI RAMACHANDRA KHUNTIA: Will the Minister of TRIBAL AFFAIRS be pleased to state :

(a) whether Government are aware of the large scale eviction of tribals from their land;

(b) whether Government propose to bring a legislation in order to check such eviction;

(c) if so, by when; and

(d) if not, the reasons therefor?

THE MINISTER OF TRIBAL AFFAIRS (SHRI JUAL ORAM): (a) to (d) Yes, Sir. However, the issue of 'Land' and its management falls exclusively under the administrative and legislative jurisdiction of the respective State Governments. Most of the State Governments have already enacted laws for prevention of alienation of tribal land. Moreover,

the Supreme Court in Civil Appeal No. 4601-4602/96 ('SAMATHA' Case) had upheld restrictions on the transfer of tribal land. Relevant extracts of the judgement have been circulated to the States for compliance.

Eviction of tribais from forests

†2831. SHRI P.K. MAHESHWARI: Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether a plan is being implemented for eviction of tribais from the forests; and

(b) the impediment in accepting the rights of the tribais on the forests whereas forests have been in possession of the tribais for centuries and both are nourishing each other?

THE MINISTER OF TRIBAL AFFAIRS (SHRI JUAL ORAM):(a) and (b) The Ministry of Environment & Forests have informed that there is no plan to evict tribais from the forest areas. But, encroachment is an offence under Section 26 of the Indian Forest Act, 1927 and it has to be dealt according to the provisions of the said Act and the State Forests Acts for the time being in force. The Central Government had issued guidelines in 1990 after approval of the Union Cabinet for regularization of pre-1980 eligible encroachments. These guidelines *inter alia* also had a provision to review the cases of disputed claims of tribais over forest lands and examine the genuineness of the claims, for which the State/UT Government should constitute a Committee comprising of a Revenue Officer, concerned Divisional Forest Officer and an official from Tribal Welfare Department.

Scholarships to tribal students in Andhra Pradesh

2832. DR. DASARI NARAYANA RAO: Will the Minister of TRIBAL AFFAIRS be pleased to state :

(a) the Central funds released to Andhra Pradesh during the last three years for granting pre-matric and post-matric scholarships to the tribal students of the State, year-wise;

(b) the number of tribal students benefited therefrom giving separate data for pre and post-matric scholarships, district-wise; and

(c) the number of tribal students in the State who joined college education after availing the post-matric scholarships?

† Original notice of the question was received in Hindi.